

**PB# 93-15**

**Forge Hill Village  
(Amended SP)**

**65-2-43**

P.B. # 93-15 Forge Hill Village (TANNE) Amended Site Plan  
Rt. 94 (Hildreth)

Approved June 23, 1993

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT**

13273

April 16, 1993

Received of Forge Hill Properties \$ 150<sup>00</sup>/<sub>100</sub>

One Hundred fifty and <sup>00</sup>/<sub>100</sub> DOLLARS

For Planning Board Application Fee (#93-15)

DISTRIBUTION:

FUND	CODE	AMOUNT
CHK # 180555		\$ 150 <sup>00</sup> / <sub>100</sub>

By Pauline B. Townsend

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT**

13274

April 16, 1993

Received of Pauline B. Townsend, Town Clerk \$ 750<sup>00</sup>/<sub>100</sub>

Seven Hundred fifty and <sup>00</sup>/<sub>100</sub> DOLLARS

For Planning Board Expense (#93-15)

DISTRIBUTION:

FUND	CODE	AMOUNT
CHK # 180556		\$ 750 <sup>00</sup> / <sub>100</sub>

By Me

Capital

Title

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**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

**GENERAL RECEIPT**

13301

May 4, 1993

Received of FHCF Inc. \$ 150<sup>00</sup>/<sub>100</sub>

One Hundred fifty and <sup>00</sup>/<sub>100</sub> DOLLARS

For PB #93-15 Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CK 1011		150 <sup>00</sup> / <sub>100</sub>

By Pauline B. Townsend

Town Clerk

Title

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DISTRIBUTION:

FUND	CODE	AMOUNT
CRK # 180555		\$ 150.00

By Pauline D. Townsend  
Town Clerk  
 Title

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**TOWN OF NEW WINDSOR** **GENERAL RECEIPT** 13274  
 555 Union Avenue  
 New Windsor, NY 12550

Received of Pauline D. Townsend, Town Clerk \$ 750.00  
Seven Hundred fifty and 00/100 DOLLARS  
 For Planning Board Expenses (#93-15)

DISTRIBUTION:

FUND	CODE	AMOUNT
CRK # 180556		\$ 750.00

By Min  
Capital  
 Title

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**TOWN OF NEW WINDSOR** **GENERAL RECEIPT** 13301  
 555 Union Avenue  
 New Windsor, NY 12550

Received of FHCF Inc. \$ 150.00  
One Hundred fifty and 00/100 DOLLARS  
 For PB #93-15 Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CRK 1011		150.00

By Pauline D. Townsend  
Town Clerk  
 Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Eng. See  
 \$96.50





McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
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400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

31 January 1994

MEMORANDUM

TO: Michael Babcock, Building Inspector

FROM: Mark J. Edsall, P.E. Planning Board Engineer

SUBJECT: FORGE HILL VILLAGE (TANNER) SITE PLAN  
SITE FIELD COMPLETION REVIEW  
MHE JOB NO. 87-56.2/T 93-15

This memorandum shall confirm our field review on the afternoon of 28 January 1994 of the subject project with regard to the completion of key site improvements in connection with buildings "A" and "B" of the project.

It should be noted, for future reference, that it was difficult to perform the site review of this project due to the significant snow and ice accumulations during this period. The project had some snow removals completed for the parking lot and some sidewalk areas at the time of our visit; however, accumulated snow made it difficult to verify completion of sidewalks, landscaping, etc. in many areas. At the time of our visit, Ted Tanner was with us to "walk us thru" the site, advising us of the status of various elements.

Based on our field review and the indications of Mr. Tanner, the following items appear incomplete at this time (relative to Buildings A & B):

1. Finish paving (2150 S.Y. X \$3.50 = \$7225)
2. Site lighting posts (3 X \$900 = \$2700)
3. Building mounted lights (3 X \$250 = \$750)
4. Paver-type sidewalks (100 S.Y. X \$35 = \$3500)
5. Handicapped parking signs (3 X \$100 = \$300)
6. Handicapped parking space delineation (3 X \$25 = \$75)
7. Standard parking space delineation (580 LF X \$.40 = \$232)
8. Landscaping (LS \$ 1,000)

Based on the best evaluation possible at this time and based on the estimates noted above, it is my opinion that the performance guarantee related to the completion of key site improvements for buildings A and B should be established as \$15,782.00

31 January 1994

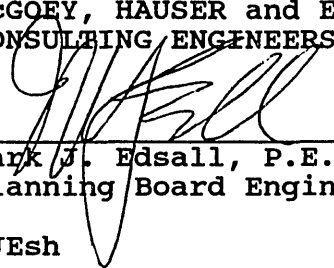
-2-

In discussions with Mr. and Mrs. Tanner, they should be advised that a follow-up review will be made upon their completion of the work and, at that time, it is likely that weather will permit a more complete review of the site. As such, they should be advised that a more complete review will be made at that time and further evaluation will be made relative to the completion status of the work.

Should you have any questions concerning the above, please do not hesitate to contact me at your convenience.

Very truly yours,

McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS, P.C.



---

Mark J. Edsall, P.E.  
Planning Board Engineer

MJesh

cc: Myra Mason, Planning Board Secretary

a:forgehl.sh

March 9, 1994

93-15

44

FORGE HILL COUNTRY FURNITURE

MR. EDSALL: Second, the technical question which I just want to affirm something I've gotten asked for the Forge Hill Country Furniture site plan that the board approved over on 94 the Tanner property. Normally as you know it's been the procedure to bond those uncompleted improvements relative to whatever building they are asking for a C.O. on so we basically split up the site and just take the area in connection with that building and say you have got to bond that. Ted Tanner indicates that he has no problem with that procedure with the exception of the finished paving which he says no matter what happens, you can't do until the very end because while construction is ongoing, he doesn't want to put the top course down. He'd like to see the top course paving item added to the last building.

MR. VAN LEEUWEN: Correct.

MR. EDSALL: If the board has no problem with that approach, it just means that there's going to be a bigger hook on the last building but he can go further without the bonding.

MR. DUBALDI: No problem.

MR. EDSALL: He's got a problem because if we collect it, it may be years before the last building is started.

MR. PETRO: He's doing a number one job there. I wish everybody built like that.

MR. EDSALL: We'll work with him on everything he can't do because it's constructed because of the construction. You have no problem with us sliding it towards the end?

MR. PETRO: No.

MR. VAN LEEUWEN: If you make the guy bond the top course, the trouble is when they drop trailers and bull dozers, the road looks like heck.

March 9, 1994

45

MR. EDSALL: I'm the first guy to agree but I wanted to let you know that is where we're headed.

MR. PETRO: No problem.

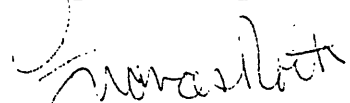
MR. DUBALDI: I make a motion we adjourn.

MR. LANDER: Second it.

ROLL CALL:

MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:

  
Frances Roth  
Stenograher

3/23/94



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

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- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

30 June 1993

MEMORANDUM

TO: Michael Babcock, Building Inspector

FROM: Mark J. Edsall, P.E., Planning Board Engineer

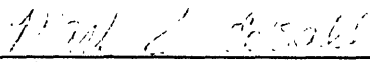
SUBJECT: FORGE HILL VILLAGE SITE PLAN  
PLANNING BOARD NO. 90-7/93-15

This memorandum shall confirm that on the afternoon of 29 June 1993 we visited the subject site to perform an inspection relative to the status of the site improvements. Specifically, a review is made with regard to the site improvements in connection with building B of the project.

It was noted that the front and rear parking areas have had shale placed; however, the finish work for the parking lot was not installed. In addition to this basic item, all the related sidewalks, lighting, landscaping, signage and other such improvements have not been installed. No handicapped access is available to the building and no handicapped parking has been constructed in this area.

In line with the above, it is my opinion that the majority of the site improvements have not been constructed. Further, since code related items for handicapped accessibility, etc. have not been constructed, it is my opinion that a Certificate of Occupancy should not be issued, as per state code and the standard procedures used for site plans.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Principal

MJEss

cc: ~~James Petro~~, Planning Board Chairman

a:forgehl.ss

FORMAL DECISIONS:

1. FORGE HILL COUNTRY FURNITURE
2. PRUDENTIAL RELOCATION MANAGEMENT

MR. TORLEY: What's your pleasure about the formal decisions?

MR. TANNER: I think we have to adopt them separately for the voting purposes.

FORGE HILL COUNTRY FURNITURE

MR. HOGAN: I move we accept the formal decision.

MR. LANGANKE: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. HOGAN	AYE
MR. TANNER	ABSTAIN
MR. LANGANKE	AYE

PRUDENTIAL RELOCATION MANAGEMENT

MR. TANNER: Make a motion we accept.

MR. HOGAN: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. HOGAN	AYE
MR. TANNER	AYE
MR. LANGANKE	AYE

MR. TANNER: I make a motion we adjourn.

MR. HOGAN: Second it.

ROLL CALL

MR. TORLEY	AYE
MR. HOGAN	AYE


June 28, 1993

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MR. TANNER  
MR. LANGANKE

AYE  
AYE

Respectfully Submitted By:

  
Frances Roth  
Stenographer 7/1/93

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

-----X  
In the Matter of the Application

of

DECISION GRANTING  
AREA VARIANCES

FORGE HILL COUNTRY FURNITURE

#93-9.  
-----X

WHEREAS, FORGE HILL COUNTRY FURNITURE, 815 Blooming Grove Tpk., New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for the following variances:

1. 12.47 ft. building height on Building A,
2. 13 ft. building height on Building B,
3. 12 ft. building height on Building C,
4. 14.67 ft. building height on Building D, and
5. 13 ft. total both side yards,

in order to construct the proposed buildings shown on the amended Phase 2 site plan for the applicant's property at the above address, in a C zone; and

WHEREAS, a public hearing was held on the 26th day of April, 1993, before the Zoning Board of Appeals at the Town Hall, 555 Union Avenue, New Windsor, N. Y.,; and

WHEREAS, the applicant was represented at said public hearing by Edward C. Tanner, who appeared on behalf of the applicant and spoke in support of the application; and

WHEREAS, there was one (1) spectator present at the public hearing, to wit, Dr. Allen Kroe, the immediately adjacent next door neighbor to the subject parcel, who spoke in support of the application and who felt that the proposed project will enhance the area; and

WHEREAS, the Board received a letter, dated April 22, 1993, from Scott G. Fish, Chief of Design and Construction, Palisades Interstate Park Commission, which state agency is the immediately adjacent next door neighbor to the subject property on the opposite side from Dr. Kroe, and which said letter indicated that Mr. Fish was under the impression that all approvals were granted previously by the town, that the applicant had been excellent neighbors, and that Mr. Fish would like to see the matter resolved in favor of the applicants; and

WHEREAS, the Board received copies of the following correspondence:

1. Letter, dated April 22, 1993, from Dorothy M. Morris, addressed to Hon. George Green, in support of the application on the grounds that there is a need in New Windsor for the type of



businesses being attracted to the applicant's location, that the proposal is in keeping with the historical nature of the area and that it will enhance the Town of New Windsor in many ways;

2. Letter, dated April 20, 1993, from Jay Dreyfus and Gini Dreyfus of Ringtrue Airdales, addressed to Mr. James Petro, Chairman, Planning Board, which was in support of the application on the grounds that the applicants are highly regarded in a number of diverse fields and have brought their expertise to the Town of New Windsor, which otherwise would only be available at a much greater distance from the town and that they are an asset to the community;

3. Letter, dated April 26, 1993, from Ms. Kathleen Cox, a tenant at the applicant's property, addressed to Mr. James Petro, Planning Board Chairman, which is in support of the application on the grounds that it will increase Ms. Cox's business and provide greater convenience for her customers, and that she chose the applicant's site because of the excellent design and care the applicant takes in preserving the historic flavor of the community;

4. Letter, undated, from Anthony Pirraglia, D.C., addressed to Mr. James Petro, Planning Board Chairman, which was in support of the application on the grounds that it is a definite asset to the Town of New Windsor; and

WHEREAS, the Board received from one Agnes Cavalari, a copy of its notice of public hearing in this matter upon which Mrs. Cavalari indicated her support of applicant's proposal; and

WHEREAS, the Board received a letter, dated April 12, 1993, from Elias D. Grevas, L.S. of Grevas and Hildreth, P.C., Land Surveyors, which explained that at the time the applicant's site plan was prepared and presented for approval to the Town of New Windsor Planning Board, the applicant had been advised that the Town Board was considering a change in the Zoning Local Law which would result in the maximum building height allowed being 6 inches per foot of distance to the nearest lot line and that based upon his conversations with the Town Supervisor and Attorney for the Town, it appeared that the change was a certainty. Mr. Grevas indicated that due to the size and shape of the property, the site plan was designed to have the benefit of the proposed change in the local law. Consequently, the site plan which was granted final approval by the Planning Board contained a note that the building heights would be in accordance with the local law in effect at the time a building permit was requested. Inasmuch as the said proposed change in the local law has not been adopted by the Town of New Windsor, and the applicant is ready to proceed with construction, the instant application for relief by way of a variance is now before this Board; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that the applicant is seeking permission to vary the provisions of the bulk regulations relating to building height and required total side yards--in order to construct the proposed buildings shown on the amended Phase 2 site plan for the applicant's property located on a parcel of land at 815 Blooming Grove Tpk., New Windsor, N. Y. in a C zone.

3. The evidence presented by the applicant substantiated the fact that a variance for more than the allowable maximum building heights and less than the required total side yards would be required in order to allow construction of the proposed buildings on the applicant's lot, which otherwise would conform to the bulk regulations in the C zone.

4. The evidence presented on behalf of the applicant indicated that the subject site was proposed for development, with the buildings shown on the submitted site plan in 1987. The project was ultimately approved by the Planning Board in 1989.

5. The evidence presented by the applicant further indicated that at the time the project was approved, the maximum allowed building height was, and still remains, 4 inches per foot of distance to the nearest lot line. The applicant was advised at the time that the Town Board was considering an amendment to the Zoning Local Law which would revise the maximum building height in the C zone to 6 inches per foot of distance to the nearest lot line. Since this proposed amendment to the Zoning Local Law permitted the applicant greater flexibility in designing and siting buildings on the applicant's parcel, the site plan submitted to the Planning Board was predicated upon the proposed amendment to the Zoning Local Law, which the applicant, after investigation by his design professionals, was assured was an imminent change. The site plan was thus approved using the proposed 6 inches per foot of distance to the nearest lot line as the maximum building height parameter and a note was placed on the approved site plan to the effect that the building heights would be in accordance with the provisions of the Zoning Local Law in effect at the time that the building permit was requested by the applicant, assuming that by that point in time, the local law would have been amended.

6. The evidence presented by the applicant further indicated that the Town Board has yet to amend the local law in the particular concerning maximum building height which was anticipated although, the applicant continues to be told that such change is still being considered by the Town Board and is imminent. The applicant makes the instant proposal to this Board in order to seek relief from the "as yet unchanged" maximum building height requirement of 4 inches per foot of distance to the nearest lot line, since the applicant now is ready to proceed with construction pursuant to the previously approved site plan.

7. It is the finding of this Board that the applicant's proposal is substantially the same as the proposal which was previously submitted to, and approved by, the Town of New Windsor Planning Board. Since the project was designed based upon a design parameter which the applicant had been assured would be changed in the Zoning Local Law, the only alternative the applicant would have at this point in time is to redesign the entire project to conform to the maximum building height requirement of 4 inches per foot of distance to the nearest lot line. Given the applicant's reliance upon assurances that the local law would be amended, and the three to four year delay in amending the local law, it is the finding of this Board that requiring the applicant to redesign his project at this point in time would cause undue hardship and would not in any way benefit the orderly development and health, safety and welfare of the community.

8. Upon reviewing the evidence submitted by the applicant it appeared that some minor variations had been proposed to the site plan previously approved by the Planning Board, to wit, one building is slightly higher due to incorporation of a cupula; one building has been changed slightly in size to accommodate standard material sizing; one building has been moved further back on the site to allow a two-way traffic circulation in order to improve traffic safety on the site; and one building has been made slightly larger in order to better serve the needs of proposed tenants and become a more economically viable rental space. It is the finding of this Board that none of these changes so dramatically effect the project, as originally proposed that ~~they~~<sup>they</sup> make the proposal previously approved by the Planning Board dramatically unlike the instant proposal.

9. It appeared from the evidence presented by the applicant that a variance for less than the required total side yards is necessary since the new construction reduces the provided total side yards to 57 ft. and the C zone requires total side yards of 70 ft. consequently a variance of 13 ft. total side yards is requested by the applicant.

10. It is the finding of this Board that the existing set backs for the existing one and one-half story ~~same~~<sup>same</sup> house and the existing retail store are nonconforming pre-existing conditions which have existed on the site since prior to the adoption of the Zoning Local Law of the Town of New Windsor, New York. Consequently, it is not necessary for this Board to address the ~~saving~~ deficiencies in front yard and side yard for these existing buildings since the same are pre-existing, nonconforming conditions. The Board does at this time address the deficiency in the required total side yards since that deficiency is being created by the proposed new construction of the applicant.

11. It is the finding of this Board that the requested variance for total side yards was inherent in the applicant's prior application for site plan approval but apparently was overlooked at the time. Consequently, the said variance request is still generated by the original proposal, previously approved by the Planning Board although the same was not referred to the

Zoning Board of Appeals at that time.

12. It is the finding of this Board that the applicant's proposals are substantially the same as those which were approved by the Planning Board approximately four years ago. It appears from the evidence submitted by the applicant, that these proposals have not generated any adverse comment from the public, but, quite the contrary, have generated substantial positive comment from the community, especially positive comment from the immediately adjacent neighbor, the Palisades Interstate Park Commission which operates the adjacent Knox Headquarters state historic site.

13. Given the unanimous favorable reaction to the applicant's proposals, and the applicant's good-faith effort to comply with what the applicant believed was a ~~seemed~~<sup>seem</sup>-to-be adopted change in the Zoning Local Law, it is the finding of this Board that the requested area variances, if granted, will not blight the proper and orderly development and general welfare of the community, since the proposal conforms to the character of the neighborhood and will not be a detriment to nearby properties.

14. The evidence presented by the applicant substantiated the fact that these variances, if granted, will not have a negative impact on the physical or environmental conditions in the neighborhood since they will fit in well with the present mixed uses in the neighborhood and surrounding zoning districts.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefits sought other than the variance procedure.

3. The requested variances are substantial in relation to the bulk regulations. However, this Board has concluded that the granting of the requested substantial variances are warranted here because of the applicant's good-faith reliance upon what was proposed, and still is proposed, as an amendment to the maximum building height permitted in the Zoning Local Law for the C zone. In addition, this Board has concluded that the substantial variance for total side yards is consistent given the existing conditions on the site and in the neighborhood which reflect nonconforming, pre-existing side yards which ~~was~~<sup>are</sup> substantially less than what is now required in the C zone. The requested variances, though very substantial, do not dramatically depart from conditions in the neighborhood that they constitute an adverse impact on the health, safety and welfare of the public.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the

neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is partially self-created. The applicant's reliance upon a proposed change in the Zoning Local Law which would permit greater maximum building heights must be viewed as a self-created difficulty. However, the applicant ~~relied~~<sup>relied</sup> upon his design professionals and contacts with the Town Supervisor, the Town Board and the Attorney for the Town, all of which indicated that the proposed amendment to the Zoning Local Law was ~~eminent~~<sup>EMINENT</sup>. It was entirely reasonable for the applicant to rely on these assurances. Since the necessary amendment to the Zoning Local Law was not adopted before the applicant was ready to pursue construction under the approved site plan, the applicant is seeking to overcome this difficulty in the appropriate manner by submitting the instant application to this Board.

6. It is the finding of this Board that the benefit to the applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested variances.

NOW, THEREFORE, BE IT

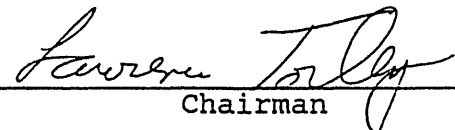
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT the following variances: (1) 12.47 ft. building height on Building A, (2) 13 ft. building height on Building B, (3) 12 ft. building height on Building C, (4) 14.67 ft. building height on Building D, and (5) 13 ft. total both side yards in order to construct the proposed buildings shown on the amended Phase 2 site plan for applicant's property at the above address in a C zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: June 28, 1993.

(ZBADISK#10-B.TXT)

  
Chairman

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/29/93

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 93-15

NAME: FORGE HILL VILLAGE - AMENDED PHASE II S.P.

APPLICANT: TANNER, TED

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
04/15/93	SITE PLAN MINIMUM	PAID		750.00	
04/28/93	P.B. ATTY.FEE	CHG	35.00		
04/28/93	P.B. MINUTES	CHG	31.50		
06/29/93	P.B. ENGINEER FEE	CHG	96.50		
06/29/93	RET. TO APPLICANT	CHG	587.00		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in the  
amount of \$587.00 to:*

*Forge Hill Properties  
815 Blooming Grove Lpk.  
New Windsor, N.Y. 12553*

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/28/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 93-15

NAME: FORGE HILL VILLAGE - AMENDED PHASE II S.P.

APPLICANT: TANNER, TED

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/22/93	PLANS STAMPED	APPROVED
04/26/93	Z.B.A. APPEARANCE	APPROVED
03/29/93	REFERRED TO Z.B.A.	TO RETURN TO P.B.
03/24/93	P.B. APPEARANCE (DISCUSSION)	REFER TO Z.B.A.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/29/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-15

NAME: FORGE HILL VILLAGE - AMENDED PHASE II S.P.  
APPLICANT: TANNER, TED

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	04/16/93	MUNICIPAL HIGHWAY	05/14/93	APPROVED
ORIG	04/16/93	MUNICIPAL WATER	05/14/93	APPROVED
ORIG	04/16/93	MUNICIPAL SEWER	/ /	
ORIG	04/16/93	MUNICIPAL SANITARY	/ /	
ORIG	04/16/93	MUNICIPAL FIRE	04/19/93	APPROVED
ORIG	04/16/93	PLANNING BOARD ENGINEER	/ /	



RESULTS OF P.B. MEETING

DATE: April 28, 1993

PROJECT NAME: Forge Hill Village PROJECT NUMBER 93-15

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M) ✓ S) L VOTE: A 4 N 0

\* M) 0 S) ✓ VOTE: A 4 N 0

CARRIED: YES ✓ NO

\* CARRIED: YES: X NO

\*\*\*\*\*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M) ✓ S) L VOTE: A 4 N 0 YES    NO ✓ *Due to minor changes*

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M) L S) D VOTE: A 4 N 0 APPROVED: 4/28/93 *Condition Below*

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Note variances on the plan

Bond estimate waived

APRIL 26, 1993

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FORGE HILL COUNTRY FURNITURE - PUBLIC HEARING 93-15

MR. NUGENT: The first public hearing is Forge Hill Country Furniture request for a 12.47 foot building height on building A, 13 foot building height on building B, 12 foot building height on building C, and 14.67 feet building height on building D located at 815 Blooming Grove Turnpike in a C zone.

MR. TANNER: I will excuse myself from this one since I am presenting it.

MR. LUCIA: I should add to that agenda item also a fifth request, a total side yard variance of 13 feet. You may recall from the preliminary that required side yard on this is 30/70, provided is 12 which is preexisting. /57, 57 total side yard results from new construction. So that results in a variance request at this time of 0/13. Only the 13 feet for total side yard is generated by the new construction.

MR. TANNER: As I explained at the preliminary this project originally started in 1987. We got our approvals in 1989. The approvals were based on a height factor of four inches in height for every foot off the lot line, that was the law at the time. They then changed. We were told at that time they were going to change the law to six inches of height for every foot off the lot line, that's how this plan was formulated and approved by the Planning Board. However, after the three years that have transpired nothing has changed and the law is still four inches in height for every foot off the property line. So this is what has brought us here. We applied for a building permit and were denied because our building was going to be too high. Rather than come back for each individual building we've incorporated all the buildings in this application. The last time we were here Mr. Torley, you requested to see the site plan as modified. That's the modified one. You wanted to see the original?

MR. TORLEY: Again, it is our standard of practice to make sure the Planning Board and we are seeing the same things.

MR. TANNER: That's the correct one at this point.

MR. LUCIA: I believe there are five letters from five individuals plus a legal notice returned by Agnus Cavalari, all of which are in support of the application. One of those letters is also from the immediate neighbor, New York Palisades Interstate Park Commission. They have no objection to the instant application.

MR. TANNER: I also have a letter from Lou Grevas and Hildreth who was the original person that did the plans. They just state his recollections of what went on at that time.

MR. LANGANKE: I particularly like the letter from Mr. Moores pointing out that the project is like a real credit to New Windsor in comparative to the glitz of the American scene of fast food places. I think it's a very attractive project.

MR. TORLEY: The applicant was dealing in good faith all the way through with the Planning Board and the assumption to change the law going to occur before the buildings were constructed, that hasn't happened yet, that's the sole reason why he is here.

MR. TANNER: That's it. There is really, there will be no change to the character of the neighborhood. There's really no other feasible way other than to redesign the whole site to correct this problem. I don't feel the feel variances are particularly substantial, if you compare them with six inches in height for every foot off the property line. There's also to be no environmental or physical changes to the neighborhood. This was of course not self-created.

MR. NUGENT: Are there any other questions from the board?

MR. HOGAN: None.

MR. TANNER: Here are some pictures, also. This is where the building is going to be. You can barely see a couple of stakes. That's the view across the street.

MR. LUCIA: Just to review some of the things we did at the preliminary for the record, the public hearing,

the heights are exactly the same as they were approved by the Planning Board three, four years ago, is that --

MR. TANNER: No, they are slightly higher.

9 MR. LUCIA: That's because one building is a little bit longer, is that it?

MR. TANNER: It's mainly because we had thought of putting a cupola on top of one of the buildings. You have to figure that in, so it kind of throws it off a little bit. The building itself would not be any higher. It's just that when you put a copula on you're going up another two feet or so.

MR. LUCIA: One building I believe is somewhat longer or eliminates a notch because of the standard sizes?

MR. TANNER: Yes, building A is, you see there is a little jog in the front. There was a corresponding jog in the back. The changes from the original site plan building B, it's just moved back four feet so we can have two-way traffic in that lane there. Originally one-way. Building D was originally 800 square feet and we lengthened it by six feet to make it a 1,000 square feet. 800 we have found is not economically viable rental space. People seem to want more than that.

MR. LUCIA: I believe it's building B at the rear corner, the southwest corner which has an offset of 45.5 feet that generates the need for the 13 foot total side yard variance?

MR. TANNER: Right, that's the building we moved back four feet to have two-way --

MR. TORLEY: Therefore improved traffic flow and hopefully safety?

MR. TANNER: Yes.

MR. LUCIA: Even if that building had not been moved back it still would not have needed a side yard variance back for the original Planning Board approval.

MR. TANNER: Correct.

MR. LUCIA: Apparently just wasn't referred at that time. But there's no, other than changing the numbers, there's no new issue that's involved at this point?

MR. TANNER: Correct.

MR. NUGENT: Okay, do we have --

MR. LUCIA: I think Ted has covered his five factors, thank you. I've looked at the deed and title policy, there's no issue in there that I'm aware of. You are not aware, I assume, of any matter affecting the title to the property which would prohibit you from maintaining the structures concerning which you are seeking the variance?

MR. TANNER: No.

MR. NUGENT: I would like to open up to the public at this time, if there is any comments?

MR. ALAN KROE: The comment would be positive. I am a neighbor of the Tanners for about four years. I am Dr. Alan Kroe. I am a podiatrist next door to Forge Hill. I like the way they maintain their property and I can only envision it enhancing the area.

MR. NUGENT: Thank you. No further questions I will close the public hearing and open it up back to the board.

MR. HOGAN: Make a motion we grant these variances as requested for Forge Hill Village.

MR. NUGENT: Do I hear a second?

MR. TORLEY: Second.

MR. NUGENT: Roll call.

MR. TORLEY: Aye.

MR. NUGENT: Aye.

MR. HOGAN: Aye.

MR. LANGANKE: Aye.

FORGE HILL VILLAGE AMENDED SITE PLAN 93-15

MR. PETRO: Next is Forge Hill Village Amended Site Plan represented by Mr. Ted Tanner. Ted, before you start I'm going to read just one letter out of many for the members of the Planning Board. This is from Ringtrue Airedales, Indian Spring Farm, Campbell Hall. Dear Mr. Petro, it is our understanding that a building plan has been submitted to the Town of New Windsor by Ted and Jane Tanner and is on the agenda again for the upcoming Board meeting on the evening of April 28th. We have been doing business with the Tanners as long as they have operated Forge Hill Furniture. They are highly regarded in the field of construction, decorating, interior design, antiques and artisan facts. They have brought their expertise to New Windsor that did not exist before. As such they have brought shopping convenience to our town that previously could only have been found in New York City. We ask that you and the Board give a great deal of consideration and cooperation to the Tanners to insure that they may continue to be an asset to the community and surrounding areas. Thank you very much, sincerely yours Jay and Gini Dreyfus. I read that because it's one of about fifteen letters that we have, ten or fifteen letters. They are all on the same light. With that, Ted, please proceed.

MR. TANNER: Okay, what we're basically coming here for is some housecleaning to a site plan that was already approved in 1989. If you look at the top of your sheet it gives basically the three things that are being changed. With regard to the traffic flow originally this lower section down here was one way traffic flow. My experience with some other properties has shown people don't pay any attention to one-way signs. The street is narrow. You end up having accidents. We revised that so there is two-way traffic at this point. In doing that it necessitated a couple of other things to the site plan. Basically reconfiguring some of the parking spaces. They are essentially in the same place they were in the original site plan just changed. This section down here was originally angle parking is now straight in. We eliminated a sidewalk at the back of that building to get the 24 feet we needed for two-way. Building B which was moved four feet back so we could get 24 feet

in this section right here. Then there were a number of changes, small changes to the buildings as far as square footage goes. Building A in the original plan had a jog in the back of it. We just eliminated that and made it straight in the back. Building B, the end of the building on this plan shows 24 by 24. It originally was 20 by 20 but the building that we are going to put on the site, it only comes in a 24 foot. So we are kind of locked in that size and that necessitates that change. Building D originally was 800 and I think 56 square feet. We added six feet to that building. Mainly because we found that 800 square feet doesn't rent. People want, usually want at least a 1,000 square feet.

MR. VAN LEEUWEN: I got a different map here. This building shows 1,056 feet.

MR. TANNER: Right, what I am saying, the original map was 800 and something. As a matter of fact I can give you an original map if you would like.

MR. PETRO: We have them here, Ted.

MR. VAN LEEUWEN: Then I misunderstood you.

MR. TANNER: Other than those changes everything else in the site plan is the same. There's no change in elevations. There's no change in landscaping.

MR. VAN LEEUWEN: Originally you were going to change the elevation on building A, right? Is that changed, Ted?

MR. TANNER: Not changing elevation. Just it had a jog in the back right here. We just made it straight, that's all. There's no change in the elevation.

MR. TANNER: You're talking about building height now? I'm talking ground elevation. We went on Zoning Board. We received a variance for building height.

MR. PETRO: All the variances should be noted on this map or on the map that will eventually be approved, I assume.

MR. TANNER: Yes.

APRIL 28, 1993

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MR. PETRO: I have approval from the Z.B.A. and on 4/26/93, Z.B.A. appearance and a variance and approval. Also we need to have the variances that were received at that meeting put on the map.

MR. VAN LEEUWEN: That can be subject to --

MR. PETRO: We have them on file, They just have to be placed on the map.

MR. TANNER: No problem.

MR. PETRO: Also, the Board should advise the applicant this site plan amendment application amends only those items specifically addressed as part of this application. All other requirements of the previous site plan approval remain in full force and effect.

MR. TANNER: Right, I understand.

MR. VAN LEEUWEN: Any landscaping on the prior plans Ted, or not?

MR. TANNER: Yes. Would you like to see it?

MR. VAN LEEUWEN: No, I didn't ask to see it.

MR. EDSALL: Just for the record, we spoke with Mr. Tanner and Bill at previous occasions as we explained to them during our site inspections we'll just look for the same plantings adjusted to accommodate what's happening on this amended plan.

MR. PETRO: Also, the Planning Board should require a bond estimate be submitted for this site plan amendment in accordance with A1G of the Town code. You can set that up with Mark. I imagine there is already one in place on the original site plan.

MR. BABCOCK: I don't know that procedure was in effect.

MR. EDSALL: It might have predated that law.

MR. TANNER: Does that mean we have to go through it as this point?



MR. PETRO: On the entire plan or only --

MR. VAN LEEUWEN: On phases. You don't do the entire plan.

MR. EDSALL: It's up to you. If you care to make the determination that you'll just act as if it was the old application, I don't have any problem with it.

MR. VAN LEEUWEN: It has to be amended to the occasion.

MR. PETRO: Only the amendment portions.

MR. EDSALL: This has to do with the request for C.O.'s when some site improvements may not be finished that we have an established amount for those improvements. If you want us to continue the way we have been going is based on an old application, we'll do that.

MR. VAN LEEUWEN: It's an amendment. The old application is still in effect, no more than an amendment?

MR. TANNER: Correct.

MR. EDSALL: We will go old application. So you're waiving that section since it is really an old application?

MR. VAN LEEUWEN: Right, since it is an amendment to the application. I don't see any problem with it. I will make a motion to approve it.

MR. PETRO: How about lead agency?

MR. LANDER: Since it's only amendment it doesn't have to go to Orange County Planning?

MR. PETRO: Yes, it does, because it's a change in plan.

MR. EDSALL: Again, it's discretionary. Substantially the plan is the same. You're basically looking at some minor adjustments to improve traffic flow internally.

MR. LANDER: Is it our discretion?

MR. VAN LEEUWEN: Yes, it is.

MR. EDSALL: The building setbacks really haven't changed. They were exactly what was on the plan or slightly adjusted.

MR. PETRO: I think we would be wasting the Orange County Planning Department's time.

MR. EDSALL: I just think it should be in the record that's the basis for not sending to them.

MR. LANDER: So moved.

MR. VAN LEEUWEN: A small amendment like this we normally do not send it to Orange County.

MR. EDSALL: It's always nice to have it in the record.

MR. PETRO: Do you want put it in the form of a motion?

MR. VAN LEEUWEN: So move.

MR. LANDER: Second.

MR. PETRO: New Windsor Planning Board does not require that Forge Hill Village Tanner site plan amendment go to Orange County Planning Department. Any further discussion? If not roll call.

MR. VAN LEEUWEN: Aye.

MR. DUBALDI: Aye.

MR. LANDER: Aye.

MR. PETRO: Aye.

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MR. LANDER: Now lead agency.

MR. VAN LEEUWEN: I make a motion to declare ourselves lead agency.

MR. LANDER: Second.

MR. PETRO: Motion has been made and seconded New

APRIL 28, 1993

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Windsor Planning Board declare itself lead agency for the Forge Hill Village Tanner site plan amendment. Any further discussion from the Board members? If the not, roll call.

MR. VAN LEEUWEN: Aye .  
MR. DUBALDI: Aye.  
MR. LANDER: Aye.  
MR. PETRO: Aye.

MR. LANDER: I make a motion to approve.

MR. DUBALDI: I make a motion we declare a negative dec.

MR. VAN LEEUWEN: Second.

MR. PETRO: Motion has been made New Windsor Planning Board declare negative dec under the Forge Hill Village Tanner site plan amendment. Any further discussion from the Board members? If not, roll call.

MR. VAN LEEUWEN: Aye.  
MR. DUBALDI: Aye.  
MR. LANDER: Aye.  
MR. PETRO: Aye.

MR. LANDER: I make a motion to approve.

MR. VAN LEEUWEN: Disapprove or to approve?

MR. LANDER: To approve.

MR. VAN LEEUWEN: I got to motion to disapprove, we got to do that one first.

MR. PETRO: Is there a second? Motion has been made to approve the Forge Hill Village Tanner site plan. Is there a second?

MR. DUBALDI: Who made the motion?

MR. PETRO: Ron.

MR. LANDER: I did.

MR. DUBALDI: I will second.

APRIL 28, 1993

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MR. PETRO: Motion has been made and seconded. Motion has been made and seconded New Windsor Planning Board approve Forge Hill Village site plan subject to the findings of the Zoning Board being put on the stamped and approved map and the bond estimate is waived. I think that's the only subject to, Ted, is the formal decision being brought in and also the formal decision being put on the map. Is there any further discussion from the Board members? If not, roll call.

MR. VAN LEEUWEN: Aye.

MR. DUBALDI: Aye.

MR. LANDER: Aye.

MR. PETRO: Aye.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: FORGE HILL VILLAGE (TANNER) SITE PLAN AMENDMENT  
PROJECT LOCATION: NYS ROUTE 94  
SECTION 65-BLOCK 2-LOT 43  
PROJECT NUMBER: 93-15  
DATE: 28 APRIL 1993  
DESCRIPTION: THE APPLICATION INVOLVES AN AMENDMENT TO THE  
PREVIOUSLY APPROVED SITE PLAN. THE APPLICATION  
WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. To my understanding, the application involves some revisions to the proposed building dimensions and setbacks. As well, some revisions to the parking space arrangement and traffic flow configuration were also made.

The Board should request that the Applicant and their consultant review, in detail, the proposed revisions to the overall site plan.

2. It is my understanding that some variances were required in connection with this site plan amendment. The Board should review any such necessary variances with the Applicant, insuring that a record of the variances are on file with the Planning Board and are properly referenced on this amended site plan.
3. The plan continues to reference office, retail and personal service uses for the site. Any other uses would require a revised parking calculation on the plan, as well as an amended description of the uses for the approved site plan.
4. The Board should advise the Applicant that this site plan amendment application amends only those items specifically addressed as part of this application. All other requirements of the previous site plan approval remain in full force and effect.
5. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.

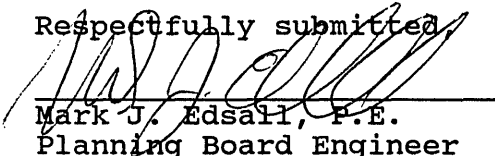
TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

-2-

PROJECT NAME: FORGE HILL VILLAGE (TANNER) SITE PLAN AMENDMENT  
PROJECT LOCATION: NYS ROUTE 94  
SECTION 65-BLOCK 2-LOT 43  
PROJECT NUMBER: 93-15  
DATE: 28 APRIL 1993

6. Submittal of this plan/application to the Orange County Planning Department will be required.
7. The Planning Board should require that a bond estimate be submitted for this Site Plan Amendment in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:FORGE.mk

B.S.

ZONING BOARD OF APPEALS  
Regular Meeting  
April 26, 1993

AGENDA

7:30 p.m. - ROLL CALL

Motion to accept the minutes of the 04/12/93 meeting as written. *APPROVED*

PRELIMINARY MEETING:

*SET UP*  
*FOR P/H* 1. COLLINS, ROBERT - Request for variance to allow garage to project closer to road than principal building contrary to Section 48-14A.(4) of Supplementary Yard Regs. at property located on Jackson Avenue in an R-1 zone. (57-1-34.1).

*SET UP*  
*FOR P/H* 2. PARRINO, ANGELA - Request for use variance for hair salon in residence located at 4 Regimental Place in an R-4 zone. Not permitted use. (49-2-3).

*SET UP*  
*FOR P/H* 3. PETERS, HENRICUS - Request for 3 ft. side yard variance for existing addition, screened porch and shed, located at 13 Stonecrest Drive in an R-4 zone. (19-4-10). Present: James R. Loeb, Esq.

PUBLIC HEARING:

*APPROVED*  
4. FORGE HILL COUNTRY FURNITURE - Request for 12.47 ft. building height on Bldg. A, 13 ft. building height on Bldg. B, 12 ft. building height on Bldg. C, and 14.67 ft. building height on Bldg. D located at 815 Blooming Grove Tpk. in a C zone. (65-2-43). *TOTAL SIDE YARD 0/13 FT*

FORMAL DECISIONS: (1) MORIN *APPROVED*  
(if available)

PAT - 562-7107 (h)  
563-4630 (o)

Pre - Submission

RESULTS OF P.B. MEETING

DATE: 3/24/93

PROJECT NAME: Forge Hill Village

PROJECT NUMBER \_\_\_\_\_

LEAD AGENCY: \_\_\_\_\_

NEGATIVE DEC: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

DISCUSSION:

Must submit

If paperwork submitted - to be on agenda 4/14/93

SEND TO ORANGE CO. PLANNING: \_\_\_\_\_

DISAPPROVED AND REFERRED TO Z.B.A.: YES \_\_\_\_\_ NO \_\_\_\_\_

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_

APPROVED \_\_\_\_\_ APPROVED CONDITIONALLY \_\_\_\_\_

NEED NEW PLANS: YES \_\_\_\_\_ NO \_\_\_\_\_

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Palisades Interstate  
Park Commission  
Bear Mountain, NY 10911-0427  
914-786-2701  
Fax: 914-786-2776



Scott G. Fish, P.E.  
Chief of Design  
and Construction

April 28, 1993

Mr. James Petro  
Planning Board Chairman  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

Subject: Forge Hill Country Furniture  
Appeal No. 9

Dear Mr. Petro:

After monitoring this project for nearly 5-years for the Palisades Interstate Park Commission, I was surprised to learn that it is back before the Town.

I was under the impression that all the approvals were granted by the Town and based on this, the project was completed.

The Tanner family have been excellent neighbors on the property adjacent to the Historic Site and I would like to see this matter resolved in their favor.

Yours truly,

A handwritten signature of Scott G. Fish, located below the "Yours truly," text.

Scott G. Fish  
Chief of Design and Construction

# RINGTRUE AIREDALES

INDIAN SPRING FARM  
CAMPBELL HALL, N. Y. 10916

GINI AND JAY DREYFUS

914 496-3865

April 20, 1993

Mr. James Petro  
Chairman, Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, N.Y. 12553

Dear Mr. Petro:

It is our understanding that a building plan has been submitted to the Town of New Windsor by Ted and Jane Tanner and is on the agenda for the upcoming Board meeting Monday evening, April 26th.

We have been doing business with the Tanners as long as they have operated Forge Hill Furniture and they are highly regarded in the field of construction, decorating, interior design, antiques and Artisan facts. They have brought their expertise to New Windsor that did not exist before. As such they have brought shopping convenience to your town that previously could only have been found in New York City.

We ask that you and the Board give a great deal of consideration and cooperation to the Tanners to insure that they may continue to be an asset to the community and surrounding areas.

Thankyou very much.

Sincerely yours,

Jay Dreyfus  
Gini Dreyfus

*Jay Dreyfus*  
-----  
*Gini Dreyfus*  
-----

cc: Pat Barnhart, Z.B.A.

Received T. of N.W. P.B.  
4/22/93 @

*Meadowbrook Lodge, Inc.*  
*Caterers*

Route 94, RD2, New Windsor, New York 12550  
Telephone 914-562-5918

John Cavalari

Frank Cavalari

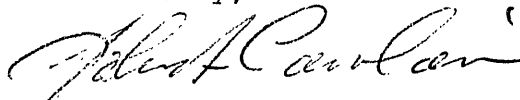
28 April 1993

Dear Mr. Petro:

The delay in the building of the Antique Center at Forge Hill Furniture in Vails Gate is not in the best interest of the Town of New Windsor or the local economy. While the number of restaurants proliferate excessively, the further development of a well rounded and diversified commercial business base is being discouraged by the delay of the Forge Hill project.

Other areas that have encouraged the growth of specialty shops and businesses of a more unique character tend to attract clients and shoppers from out of the area, a potential benefit to all local businesses. The approval of the Forge Hill project would foster and enhance local economic activity.

Sincerely,



John A. Cavalari  
Meadowbrook Lodge

*Alan J. Kroe, D.P.M., F.A.A.P.S.*

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833 Blooming Grove Turnpike □ New Windsor, N.Y. 12553 □ (914) 561-7888

April 28, 1993

To Whom It May Concern:

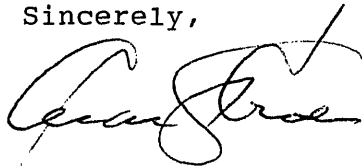
Ted and Jane Tanner have been business neighbors of mine for some four years. The building style, property maintenance and general overall decor of their property is an asset to our community.

Their plans to enlarge the "Shopping Village" with buildings designed in the 18th Century mode certainly blends in with the historic image of New Windsor.

In my opinion, not only will this shopping area enhance the look of our town, but it will also benefit the business community as well.

I can see this idea being used as a benchmark business concept.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Alan J. Kroe', with a large, stylized initial 'A'.

/ Alan J. Kroe, D.P.M.



ANTHONY PIRRAGLIA, D.C.

Family Chiropractic Care

815 Blooming Grove Tpke. (Rt. 94)

Suite 106

New Windsor, NY 12553

Telephone: (914) 569-1100

Mr. James Petro  
Planning Board Chairman  
New Windsor Town Hall  
555 Union Ave.  
New Windsor, NY 12553

Dear Mr. Petro,

It is my understanding that Jane and Ted Tanner are coming before the Planning Board for site changes. I fully support these changes. I hope you will give every positive consideration as it is a definite asset to the town of New Windsor.

Sincerely,

Dr. Anthony Pirraglia

AP

4/26/93 @

4/26/93 CW

Mr. James Petro  
Planning Board Chairman  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, N.Y. 12553

Dear Mr. Petro,

I have been a tenant at Forge Hill Village for 3 years. Ted Tanner discussed the site plan changes with me and I approve. These changes, I feel, will increase my business and provide greater convenience for my customers.

Before moving to Forge Hill Village, I had been operating my business in another New Windsor location for 4 years. I chose Forge Hill Village based on the excellent design, upscale atmosphere and the obvious care the Tanners take in preserving the historic flavor in

this area of New Windsor. I think that New Windsor would benefit if we had more concern to maintain this wonderful "New England" atmosphere as opposed to the harsh look of strip malls.

I would hope the board would consider these changes positively and realize that Forge Hill Village is an asset to the town of New Windsor.

Sincerely,

Kathleen Cox

Rapunzel Hair Design  
815 A Blooming Grove Tpk.  
New Windsor, NY.  
12553

Mineral Springs Road  
Highland Mills, New York 10930

April 22, 1993

Honorable George Green  
555 Union Avenue  
New Windsor, New York 12553

Dear Sir:

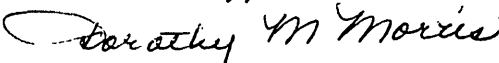
It has come to my attention that there is a delay in the building and completion of the Antique Center at the location of Forge Hill Furniture in your town. While I am not a resident, I do have a particular interest in this issue. My daughter has just recently opened a business at that location.

The area surrounding this location is now overpowered with fast food spots and the "glitz" which is overtaking the American scene. These places are fine for a great number of our population but they do not necessarily meet the shopping needs of all the population. There is definitely a need for the kinds of business being attracted to the Forge Hill location. It is my opinion that, ignoring this need would be shortsighted and not in the best interest of New Windsor. This particular area enjoys a great deal of history dating back to the Revolutionary War and the setting for the Antique Center is indeed fostering that flavor.

It is my hope that you will consider making completion of that project "owner friendly" as it certainly will enhance the Town of New Windsor in many ways. To be supportive would certainly give the impression that you and your Planning Board are friendly to business, particularly business of the calibre proposed by the owners of this tract of land.

Thank you for your consideration in this matter.

Sincerely,

  
Dorothy M. Morris

cc. Planning Board

4/23/93 @m



TANNER

Mr. Ted Tanner appeared before the board on this proposal.

MR. TANNER: Basically, when we went for site plan approval way back in 1989, at that time, the Planning Board told us to figure all our building heights based on six inches per foot from the lot line which we did. Back in 1989-90, Planning Board told us to do these plans basing the building height on six inches per foot. We did at that time anticipate a change in the law which was at the time four inches per foot which in four years or 3 1/2 it hasn't changed. We went to get a building permit, we were denied. Our problem is all our buildings have been laid out at 6 inches per foot, the designs have all been completed, everything, essentially we can't build anything. We're talking about Building B on there at the moment, that is the one we need relief from immediately because I have a lease signed and a time limit on it. And the one end of the building which is shows as the 20 foot end on that building, that is 15.6 feet high which would meet the four inches per foot from the line.

MR. PETRO: But your first statement to me was the most important and Mark, listen to this. The Planning Board at that time told him to figure his buildings at 6 inch 2 foot ratios, this is a copy of the minutes now what we're trying to do here is not make an exception because there's ten other people waiting to get relief from their law.

MR. EDSALL: How was it ultimately approved.

MR. TANNER: They told us to put no heights in there at all. We were told to put no heights.

MR. PETRO: Add a note that says the building heights will be in accordance with the ordinance at the time of a building permit.

MR. EDSALL: Lou Grevas indicated on the plan heights assuming that the zoning was going to change and what the Planning Board says you can't have that on the

plan.

MR. TANNER: We're changing it in a couple of months as they say on there.

MR. EDSALL: What they said was that they can't approve a plan that didn't comply with zoning so you'll have to say that by then it will be straightened out and it hasn't been.

MR. TANNER: We put the cost into architectural renderings on all buildings in the place and what we're saying is that if we can get some type of a relief for that building at this point. I have an appointment on the 7th to come to the workshop and we can discuss the remainder of it and clean up some odds and ends, I'd like to clean up anyway.

MR. PETRO: Goes as far as the height goes, you're only asking for relief of this one particular building. Is there any way that we can do something there?

MR. VAN LEEUWEN: Not without the plan, you're going to run into one hell of a hornet's nest, you have so many people asking for that already.

MR. TANNER: This was already approved.

MR. VAN LEEUWEN: I realize that but we're going to open up--

MR. PETRO: This note says until changed by the Town Board in accordance with the ordinance at the time of the building permit.

MR. VAN LEEUWEN: So he's got to go to the Zoning.

MR. KRIEGER: Why is this a Planning Board problem?

MR. VAN LEEUWEN: He wants to add to the building.

MR. PETRO: The footprint is slightly different.

MR. TANNER: Yeah, going back to this, you know we wouldn't be in this position basically if the Planning

Board hadn't said to go ahead with that, we have been sitting on it assuming--

MR. VAN LEEUWEN: The only reason we did that is to help you out with the State of New York, if you remember correctly because they were giving you such a hard time every time that you came to us with a building, you'd have to go to the State of New York, am I correct?

MR. TANNER: I don't think you are but you know I think it was more that we wanted to get this building up at the time and we didn't want to redo the whole plan twice. They were going, they were going to change the law in a couple of weeks.

MR. VAN LEEUWEN: Basically, why he showed the buildings, when you showed it to the state of New York because they were giving you a hard time.

MR. TANNER: We had resolved that by this point.

MR. VAN LEEUWEN: If this map didn't show these different building locations, every time you went to do something, you'd have to go back to them.

MR. PETRO: That is a question for me also, the height of the building permitted right now is how high under the current four inch ordinance?

MR. TANNER: Under four inch, at the 20 foot end that is this end down here, I could be 16 feet 4 inches.

MR. PETRO: How high do you want to be?

MR. TANNER: I meet it on that end.

MR. PETRO: Where is the problem?

MR. TANNER: This end, it should be 24, no, 24'6" at that end and it's 19 feet.

MR. VAN LEEUWEN: Going to need a 6 foot variance on that you need 25 feet and you got--

MR. TANNER: If I was using the 6 inch per foot, I would be underneath the height by 4 feet actually, could be 28'6" at that end.

MR. TANNER: On the other end, I could be 24'6" and I'm only 15'6" so using the 6 inch per foot, I'd be quite a bit underneath.

MR. PETRO: Also just skip over that for a second, the footprint is going to change in what fashion?

MR. TANNER: Right here just like that 4 feet, it won't effect anything, no. The problem is it's a panelized system and they come 24 feet wide and I didn't realize it until I talked to Mike that this shows 20 and the panelized system is 24.

MR. PETRO: What's the overall size?

MR. TANNER: 68.

MR. PETRO: What's the overall length of the new building?

MR. TANNER: 72, four foot more and four foot to the front, it doesn't change the footprint of the building really at all, not even encroaching on the sidewalks.

MR. VAN LEEUWEN: You still got to give us some kind of plan for it. It's an amendment to the site plan.

MR. TANNER: This is the building just so you have an idea. As you can see, the roof is lower on this end.

MR. VAN LEEUWEN: Let the Zoning Board handle it.

MR. PETRO: For the height you mean?

MR. VAN LEEUWEN: Yes, that is Zoning Board matter. We can't do anything about that.

MR. TANNER: Can you do anything about the 4 feet?

MR. PETRO: Well, the board as far as the 4 feet if you want to give us, he can give us a map of the new

building showing it and can we attach it to this plan.

MR. VAN LEEUWEN: He can make an amendment.

MR. PETRO: That the Building B is going to be changed.

MR. TANNER: Can I get approval for that tonight?

MR. VAN LEEUWEN: No, can't do that. You've got a full amended site plan because you're going to run into problems. First you have to go to the Zoning Board any way. You have to show us that plan, we have to turn it down and you go to the Zoning Board.

MR. LANDER: Suppose he goes to zoning and zoning says no then we approved that building before he goes.

MR. VAN LEEUWEN: We can't do that. I don't think that would happen, that they'd probably give you the variance. We can't do that.

MR. TANNER: I understand what you're saying.

MR. VAN LEEUWEN: Newspapers get ahold of that, they'll crucify us. You can't do that. You've got to get it drawn up. We have to turn it down, send you to the Zoning Board.

MR. TANNER: I've lost my lease then.

MR. VAN LEEUWEN: There's nothing we can do about it.

MR. TANNER: That means I'm not going to get a building permit until first of May, they have to be in the 15th of May. It's panelized, I can have it up in 30 days without any problem but if I am on the first of May if I am ready by the 15th of April, I'm fine but--

MR. PETRO: Let me ask you this, if we give a tentative approval upon Zoning Board approval for his height and he would not have to come back here for the Planning Board approval, this is so minor in nature, look at this here.

MR. VAN LEEUWEN: I agree, let Andy talk.

MR. KRIEGER: It's minor but you have, you don't even have a plan, approve what you don't even have a plan here indicating it.

MR. VAN LEEUWEN: You're opening Pandora's Box. Ted's on the Zoning Board too and it's just going to say hey, you're doing a favor for people on the Zoning Board. You can't do that.

MR. TANNER: This will show the 4 feet, this has it right on it here.

MR. VAN LEEUWEN: But it's got to show on the site plan, we need a separate except piece of paper to attach to this site plan stating it's an amended site plan, amended for building only.

MRS. TANNER: Can you approve it on the premise that we'll submit as soon as you receive the site plan showing the 4 foot?

MR. VAN LEEUWEN: I wouldn't do it, I can't do it, wouldn't be fair. I realize what position it's putting you in but we're opening Pandora's Box.

MR. PETRO: He's going to get the plan, get it made up, get it here, we have to review it, turn him down so he can go to the zoning. You can't go directly to zoning. City of Newburgh, that is not the way it is, I have been saying it, it's a complete wasted step.

MR. VAN LEEUWEN: Can I say something to you that was not implemented by the Town Board, that was implemented by the Zoning Board. That is the way they wanted it done.

MR. PETRO: Do you follow what I am talking about, you're wasting.

MR. TANNER: I thought it was ridiculous too.

MR. PETRO: I understand part of it because if something is drastically wrong, we can look at it, here's a perfect example of time is of the essence so

you can get an amended site plan here so we can say no.

MR. TANNER: The earlier I can get here would be the 14th and I have to wait until the last week in April to be on the Zoning Board then I can't get back here until the second of May and I have to if I have to have a public hearing, then I'm done. So I'm first of June by the time I do anything.

MR. VAN LEEUWEN: Can't do anything without a public hearing, Zoning Board can't do anything without a public hearing.

MR. TANNER: We're talking June 15, so you know, so it is basically a canceled project then. I just hate to lose number one economically you hate to lose business but it's tax business coming into New Windsor.

MR. PETRO: There's ten other people that want this relief from the height to start with and it's a change in the footprint, I don't know anybody around.

MRS. TANNER: I'm not understanding the public hearing bit.

MR. VAN LEEUWEN: At the Zoning Board level, that is law.

MR. KRIEGER: Zoning Board cannot act without a public hearing. They have no power to do it. They must have a public hearing for anything, they can't interpret, they can't grant a variance, they can't say anything about anything until they have a public hearing. That is State Law.

MRS. TANNER: We've already had public hearings on all this.

MR. KRIEGER: I didn't say it made sense, it's State Law.

MR. EDSALL: I agree with Andy that it doesn't make sense but it's State Law.

MR. KRIEGER: I didn't say it made sense, I render no

opinion on that subject.

MR. EDSALL: We all had hoped that the relief to multiple projects about the 4 to 6 inch per foot the nearest lot line would have been done by now. It's tied up with a bunch of other code changes and unfortunately, this board can't rewrite the law, the only one that can change the law is Town Board or Zoning Board by granting variances.

MR. VAN LEEUWEN: I have been pushing for it for three years because I'm waiting for it for three years personally.

MR. TANNER: I also have this one coming and I am afraid I'm going to lose that one even if I started today I'm going to be three, four months on that one and those people aren't going to wait that long either probably.

MR. KRIEGER: If you have, if you think you're going to have a height problem here as long as you're going to have to go to the Zoning Board, are you going to have a height problem here?

MR. TANNER: Every single building.

MR. KRIEGER: Why don't you go now for all of them?

MR. VAN LEEUWEN: Why don't you just drop the roof line?

MR. TANNER: Then I have to go back and have a whole new building designed from scratch and I'm talking I'm out of my timeframe there.

MR. PETRO: What's your average height there, can you use the average height to get it lowered or is it at that point?

MR. EDSALL: Again, I'm just telling you the way it's always been done is you take the highest point of the building and use that highest point to the average height around the building and that gives you your building height as far as what's allowable code says to



the nearest lot line.

MR. TANNER: Average height is going to be lower than.

MR. PETRO: He's taken the worse case senario.

MR. EDSALL: Average ground elevation to that highest point but then you have to realize also you apply allowable height to the nearest lot line.

MR. TANNER: The nearest lot line Mark is 49'5"

MR. EDSALL: Which means the average height of your building allowable is 16 foot and change.

MR. PETRO: He's at 15 foot there.

MR. EDSALL: Not at that point, the average height of the building would have to be 16 and whatever, 16 and change, in other words, if you have a building that is stepped, you can't say that just because the low portion is nearest lot line.

MR. TANNER: How do you figure that average height, you take the top one or circumference.

MR. EDSALL: Take the average ground elevation and then you compare that to the highest point of the building.

MR. VAN LEEUWEN: From the ground to the highest point of the building then you have to consider the lot line.

MR. EDSALL: The only average involved is the average grade elevation then you take that elevation and compare it to the highest point that is your building height.

MR. BABCOCK: I don't think the code and quite honestly I'd like to give as much relief here as we could, I don't think the code deals with steps in the roof as far as the average grade. It's the grade as the grade goes up a building you have this building is in the ground eight inches.

MR. PETRO: Why can't he build the grade up on that

corner?

MR. BABCOCK: It's a wood structure.

MR. PETRO: Let's try another route. What if we still want to eliminate the zoning board and we're going to move the building over three feet, he's got to come here with an amended site plan, let's move the building three feet back.

MR. LANDER: You have to move it how many feet in order to--

MR. EDSALL: What's the height?

MR. PETRO: Five feet out, he's allowed 19, it's 24'6".

MR. EDSALL: Highest point of the building is 25 for the height, he needs 75 foot off the property line.

MR. LANDER: He's got to move the building too far.

MR. VAN LEEUWEN: You don't have the room.

MR. TANNER: You'd have to redo the whole site plan again.

MR. VAN LEEUWEN: Just need an amendment.

MR. EDSALL: What we're saying is exactly what one would expect if they had projected out if the law wasn't changed the site plan doesn't work.

MR. TANNER: At all.

MR. EDSALL: That is the problem, the law wasn't changed.

MR. PETRO: That was your argument to have it changed that is why it's being changed, hasn't happened yet.

MR. EDSALL: That is why when this was reviewed, we all knew that it would work if the law was changed. And when Lou was attempting to have the plan approved on the basis that it would happen and the board

couldn't commit themselves to it happening.

MR. TANNER: This is almost like deja vu when we built this building originally we lost our lease because the State of New York held us up for so long we lost the lease and we went without a tenant for almost a year and now we're on this one we're going to lose a tenant and I'll probably lose a tenant on that one place. In this economic time that we have, no one can afford to lose a lease. To get one is dam hard.

MR. EDSALL: Have you talked to the Town Board if there's anything they can do?

MRS. TANNER: I talked to George this afternoon, he said in about two to three months this will be changed. Please have the Planning Board talk to me, I'll tell them this was all supposed to go through. That it is the Town Board's fault that it is not changed yet, it's not something that we contributed to at all but it's certainly affecting us tremendously.

MR. VAN LEEUWEN: It's affecting me too every month I go into George and I understand it's in the attorney's office.

MR. PETRO: You can't lower the roof?

MR. TANNER: If I redesign the whole building. Five feet is a lot to lower a roof. This has a barn type roof on it.

MR. VAN LEEUWEN: Can't have a gambrel roof?

MR. TANNER: Unless I brought it almost flat then what you end up with aesthetically we've tried to do something that looks attractive and I don't just want to throw up a building to meet a code and have it look like heck.

MR. VAN LEEUWEN: We're in a tough position, Ted.

MR. PETRO: How about a letter from the Town Board that they plan on doing something within three months.

MR. EDSALL: If the Planning Board attorney and the Town attorney figure out away that they can tell you legally that you can approve a plan, I think that is when you should say fine I don't want to be your attorney but I don't see how the Planning Board can change the law.

MR. VAN LEEUWEN: I have been here 23 years, this has been tried before, it doesn't work.

MR. PETRO: Get a letter from either the Supervision or from the Town Attorney to our attorney to alleviate the five foot variance needed for the Zoning Board then we'll take an application for site plan approval.

MRS. TANNER: If I get that to you quickly then?

MR. PETRO: Next meeting is the 14th, you'd have to get to a workshop, the 14th we have a big public hearing, I told Myra before we started tonight we'll allow one other application so if you are going to do that, I would get the ball rolling.

MR. TANNER: Put me down for the 14th and then I'll call you if I don't have it.

MR. PETRO: We need a letter from either the Town Supervisor, from him we need stating that the Town Attorney will be in touch with our attorney to show how we can make it work and it will be a Town Board issue.

MR. VAN LEEUWEN: Believe me gentlemen, it will not work. The only way if you drop the roof line but I'll tell you, can I say something if the law isn't on the books and Andy will agree with me, you can't do it, it's illegal. Even if you get 50 letters from Town Board.

MR. PETRO: Let the Town Attorney tell me that at least they have an out there.

MR. EDSALL: If you have that by the workshop bring it with you.

MR. PETRO: At least you have something to go on.



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93- 15

DATE PLAN RECEIVED: APR 16 1993

The maps and plans for the Site Approval Large Hill Village  
Subdivision \_\_\_\_\_ as submitted by  
Grewas for the building or subdivision of  
\_\_\_\_\_ has been  
reviewed by me and is approved ✓  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

J. G. Ayres 5/14/93  
HIGHWAY SUPERINTENDENT DATE

5/14/93  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 19 April 1993  
**SUBJECT:** Forge Hill Village


**PLANNING BOARD REFERENCE NUMBER:** PB-93-15  
**DATED:** 16 April 1993

**FIRE PREVENTION REFERENCE NUMBER:** FPS-93-023

A review of the above referenced subject site plan was conducted on 19 April 1993.

This site plan is acceptable.

**PLANS DATED:** 9 April 1993.

  
Robert F. Rodgers, CCA  
Fire Inspector

RFR:mr  
Att.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 90-7

DATE: 3-29-93

APPLICANT: FORGE HILL COUNTRY FURNITURE

815 BLOOMING GROVE TPK.

NEW WINDSOR, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 3-29-93

FOR (SUBDIVISION - SITE PLAN)

LOCATED AT 815 BLOOMING GROVE TPK

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 65 BLOCK: 2 LOT: 43

IS DISAPPROVED ON THE FOLLOWING GROUNDS: BUILDING HEIGHTS

OF BUILDING A - B - C - D

Michael Babcock  
MICHAEL BABCOCK,  
BUILDING INSPECTOR

REQUIREMENTSPROPOSED OR  
AVAILABLEVARIANCE  
REQUEST

ZONE	USE			
C	A 1	SET BACK 46.6 FT		
		15.53	28 FT	12.47 FT
BLDG. HT. (BLDG A)		SET BACK 45 FT		
		15 FT	28 FT	13 FT
BLDG. HT. (BLDG B)		SET BACK 48 FT		
		16 FT	28 FT	12 FT
BLDG. HT. (BLDG C)		SET BACK 40 FT		
		13.33 FT	28 FT	14.67 FT
BLDG. HT. (BLDG D)				

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:  
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD  
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

#1 ZBA

4-12-93

SET UP FOR P/H

#2 ZBA

4-26-93

APPROVED



PROXY STATEMENT  
for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

JANE A. TANNER, deposes and says that he  
resides at 815 BLOOMING GROVE TPK, NEW WINDSOR, NY,  
(Owner's Address)

in the County of ORANGE  
and State of N. Y.

and that he is the owner in fee of FORGE HILL VILLAGE

which is the premises described in the foregoing application and  
that he has authorized GREUS & HILDBRETH  
to make the foregoing application as described therein.

Date: 4-24-93

Jane A. Tanner  
(Owner's Signature)  
Jim D. Tanner  
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF  
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT  
AND/OR OWNER AT THE MEETINGS.

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 125530

(This is a two-sided form)

AMENDED  
APPLICATION FOR SITE PLAN, ~~SUBDIVISION PLAN,~~  
~~OR LOT LINE CHANGE~~ APPROVAL

1. Name of Project Forge Hill Village - AMENDED PHASE II SITE PLAN
2. Name of Applicant Ted Tanner Phone 561-4619  
Address 815 Blooming Grove Tpk, New Windsor, N.Y. 12553  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Edward & Jane Tanner Phone 561-4619  
Address Same as above  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Bill Hildreth Phone 562-8667  
Address 33 Quassack Ave, New Windsor, N.Y. 12553  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting APPLICANT Phone \_\_\_\_\_  
(Name)
7. Location: On the South side of Rout 94  
400 feet West  
of Old Forge Hill Rd  
(Street) (Direction) (Street)
8. Acreage of Parcel 3.02
9. Zoning District C  
9A. School District Newburgh
10. Tax Map Designation: Section 65 Block 2 Lot 43
11. This application is for Site Plan Revision - AMENDMENT  
TO APPROVED PHASE II SITE PLAN

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO YES

If so, list Case No. and Name SIGN VARIANCE

13. List all contiguous holdings in the same ownership NONE  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT  
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

\_\_\_\_\_ being duly sworn, deposes and says  
that he resides at \_\_\_\_\_  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_  
and that he is (the owner in fee) of \_\_\_\_\_  
\_\_\_\_\_ (Official Title)  
of the Corporation which is the Owner in fee of the premises  
described in the foregoing application and that he has authorized  
\_\_\_\_\_ to make the foregoing  
application as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

15th day of April 1993

**RICHARD W. HARDEN**  
Notary Public, State of New York  
Qualified in Orange County  
Notary No. 01057428  
Commission Expires November 30, 1993

*Richard W. Harden*

*Edward C. Tammes*  
(Owner's Signature)  
*Edward C. Tammes*  
(Applicant's Signature)

\_\_\_\_\_  
(Title)

PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Edward C &amp; Jane A. Tanner</i>	2. PROJECT NAME <i>Forge Hill Village</i> <sup>AMENDED PHASE II SITE PLAN</sup>
3. PROJECT LOCATION: Municipality <i>New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>815 Blooming Grove Trk (Route 94) New Windsor</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Increase Parking on site &amp; modify traffic flow within site for better accessibility. Enlarge <del>the</del> buildings. three</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>3.02</i> acres Ultimately <i>3.02</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <i>A building height variance will be needed</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <i>Town of New Windsor ZBA - Building height variance</i>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval <i>Town of New Windsor Planning Board</i>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Edward C. Tanner</i>	Date: <i>3/30/93</i>
Signature: <i>Edward C. Tanner</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 8 NYCRR, PART 617.12?</b> If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 8 NYCRR, PART 617.6?</b> If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b> <b>C1.</b> Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:   <b>C2.</b> Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:   <b>C3.</b> Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:   <b>C4.</b> A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:   <b>C5.</b> Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:   <b>C6.</b> Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:   <b>C7.</b> Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:   <b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
_____	
Name of Lead Agency	
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)
_____	
Date	

X

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

ITEM

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title              | 29. <input checked="" type="checkbox"/> Curbing Locations      |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)          | 30. <input checked="" type="checkbox"/> Curbing Through        |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)      | Section  |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name    | 31. <input checked="" type="checkbox"/> Catch Basin Locations  |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input checked="" type="checkbox"/> Catch Basin Through    |
| 6. <input checked="" type="checkbox"/> Drawing Date                 | Section  |
| 7. <input checked="" type="checkbox"/> Revision Dates               | 33. <input checked="" type="checkbox"/> Storm Drainage         |
|   | 34. <input checked="" type="checkbox"/> Refuse Storage         |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET               | 35. <input checked="" type="checkbox"/> Other Outdoor Storage  |
| 9. <input checked="" type="checkbox"/> Site Designation             | 36. <input checked="" type="checkbox"/> Water Supply           |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet  | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| of Site   |  |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10)  | 38. <input checked="" type="checkbox"/> Fire Hydrants          |
| 12. <input checked="" type="checkbox"/> PLOT PLAN                   | 39. <input checked="" type="checkbox"/> Building Locations     |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)  | 40. <input checked="" type="checkbox"/> Building Setbacks      |
| 14. <input checked="" type="checkbox"/> Metes and Bounds            | 41. <input checked="" type="checkbox"/> Front Building         |
| 15. <input checked="" type="checkbox"/> Zoning Designation          | Elevations   |
| 16. <input checked="" type="checkbox"/> North Arrow                 | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners    | 43. <input checked="" type="checkbox"/> Sign Details           |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input checked="" type="checkbox"/> BULK TABLE INSET       |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas        | 45. <input checked="" type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation         | 100 sq. ft.)   |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress    | 46. <input checked="" type="checkbox"/> Building Coverage (sq. |
|   | ft.)   |
| <u>PROPOSED IMPROVEMENTS</u>  | 47. <input checked="" type="checkbox"/> Building Coverage (%   |
| 22. <input checked="" type="checkbox"/> Landscaping                 | of Total Area)   |
| 23. <input checked="" type="checkbox"/> Exterior Lighting           | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening                   | Ft.)   |
| 25. <input checked="" type="checkbox"/> Access & Egress             | 49. <input checked="" type="checkbox"/> Pavement Coverage (%   |
| 26. <input checked="" type="checkbox"/> Parking Areas               | of Total Area)   |
| 27. <input checked="" type="checkbox"/> Loading Areas               | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.)   |
| 28. <input checked="" type="checkbox"/> Paving Details              | 51. <input checked="" type="checkbox"/> Open Space (% of Total |
| (Items 25-27)   | Area)  |
|   | 52. <input checked="" type="checkbox"/> No. of Parking Spaces  |
|   | Proposed.  |
|   | 53. <input checked="" type="checkbox"/> No. of Parking         |
|   | Required.  |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: William F. Alden  
    Licensed Professional

Date: 15 April 1993



# SITE PLAN AMENDMENTS

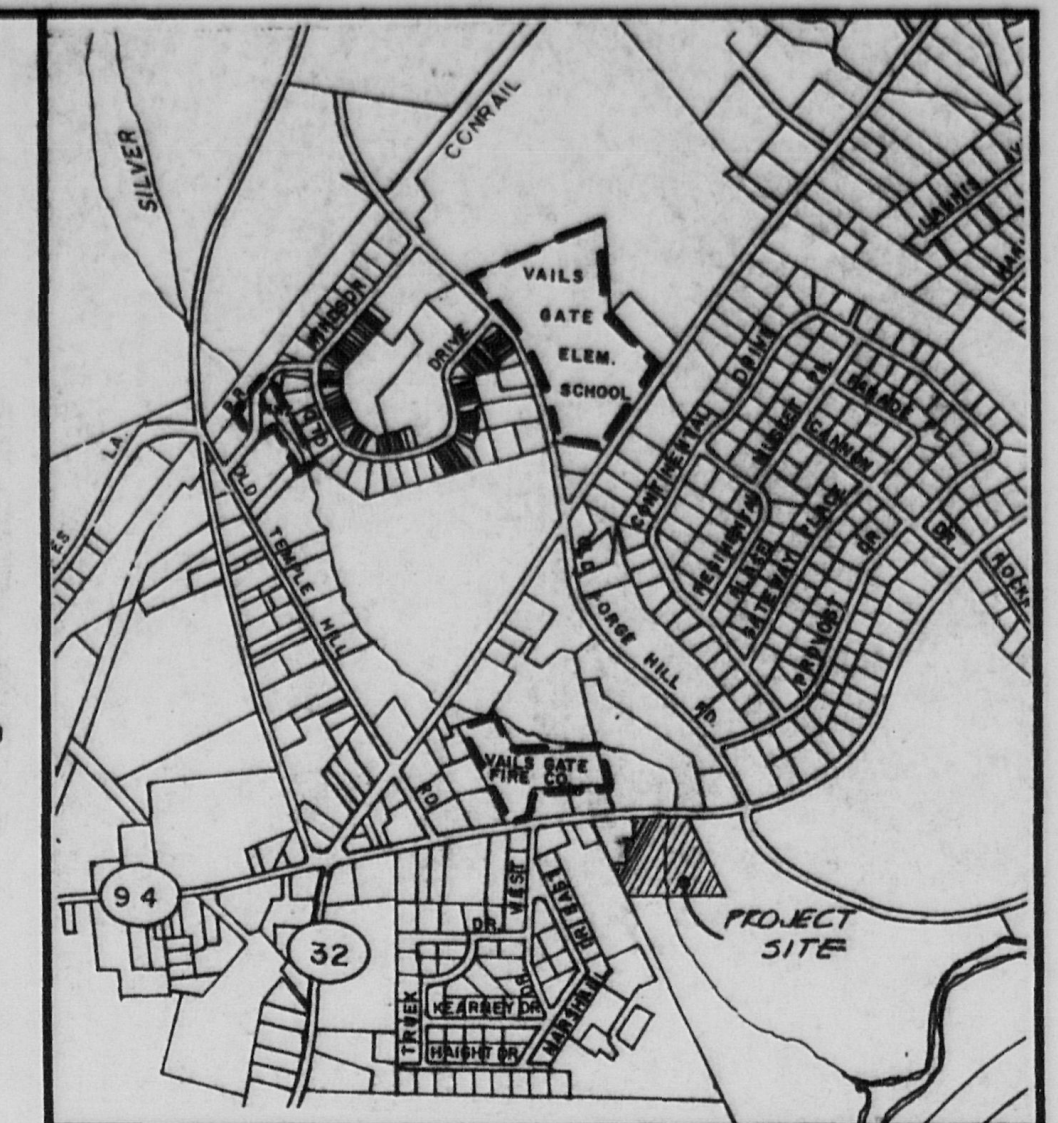
1. REVISED TRAFFIC FLOW
2. REVISED BUILDINGS A,B,& D
3. ADDED PARKING SPACES

## APPROVAL NOTES:

The Town of New Windsor Zoning Board of Appeals, after holding a Public Hearing at its regular meeting of April 26, 1993, granted the following variances for this Site Plan:

1. 12.47' building height for Building A
2. 13' building height for Building B
3. 12' building height for Building C
4. 14.67' building height for Building D
5. Total Side Yard of 13'

Planning Board Approval of April 28, 1993, following the granting of the variances, is for the Amendments shown on this plan. All other aspects of the original Site Plan Approval are still in effect.



LOCATION PLAN 1"=1,000'

## NOTES:

1. Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 45, Block 2, Lots 43.
2. TOTAL PARCEL AREA: 3.02 +/- ACRES
3. PROPERTY ZONE: "C" (Design Shopping)
4. OWNER/APPLICANT: Ted & Jane Tanner  
c/o Forge Hill Country Furniture  
815 Blooming Grove Tpke.  
New Windsor, NY 12553
5. PROPERTY DEVELOPMENT: Office, Retail Space and other uses permitted in the Zone
6. WATER SUPPLY & SANITARY DISPOSAL: Town of New Windsor
7. Boundaries, location of physical features and topographic information shown herein is from a field survey performed by the undersigned on 16 October 1989.
8. Lampposts and Luminaires shown are laminated timber posts, with crossarms (as manufactured by Ryther-Purdy Lumber Company, Inc. or an acceptable equal), mounted with hanging lanterns fitted with 250 watt Sodium Vapor Lamps. Mounting height shall be 18 feet.
9. Building-mounted fixtures shall be of the "lantern" type, fitted with Sodium Vapor Lamps.
10. All lighting fixtures shall contain shielding devices to prevent "spillage" of light on adjoining properties and the "halo" effect of upward light.
11. All water and sewer connection shall be made in accordance with Town of New Windsor requirements.
12. Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the N.Y.S. Education Law.
13. Prepared pursuant to Section 7208 (n) of the N.Y.S. Education Law.

## PARKING CALCULATIONS

REQUIREMENTS:		Retail Use:	1 Space / 150 S.F.
		Net S.F. = 75% of Gross S.F.	
		Office Use:	1 Space / 200 S.F.
		Personal Service Use:	1 Space / 150 S.F.
		Residential Use:	2 Spaces

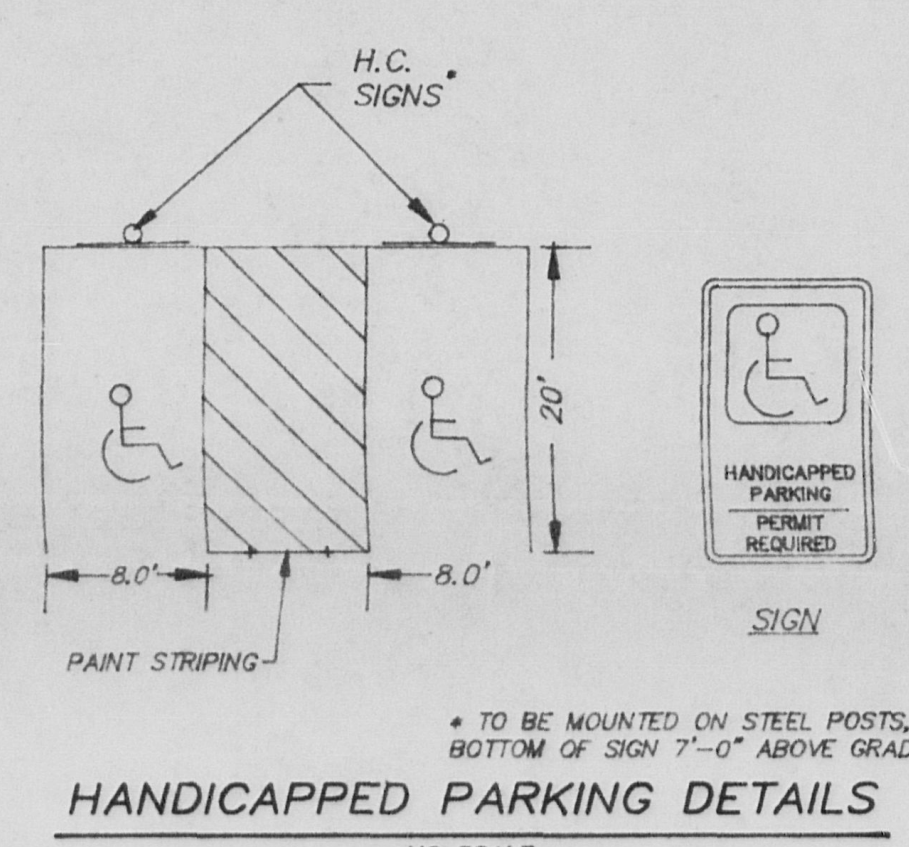
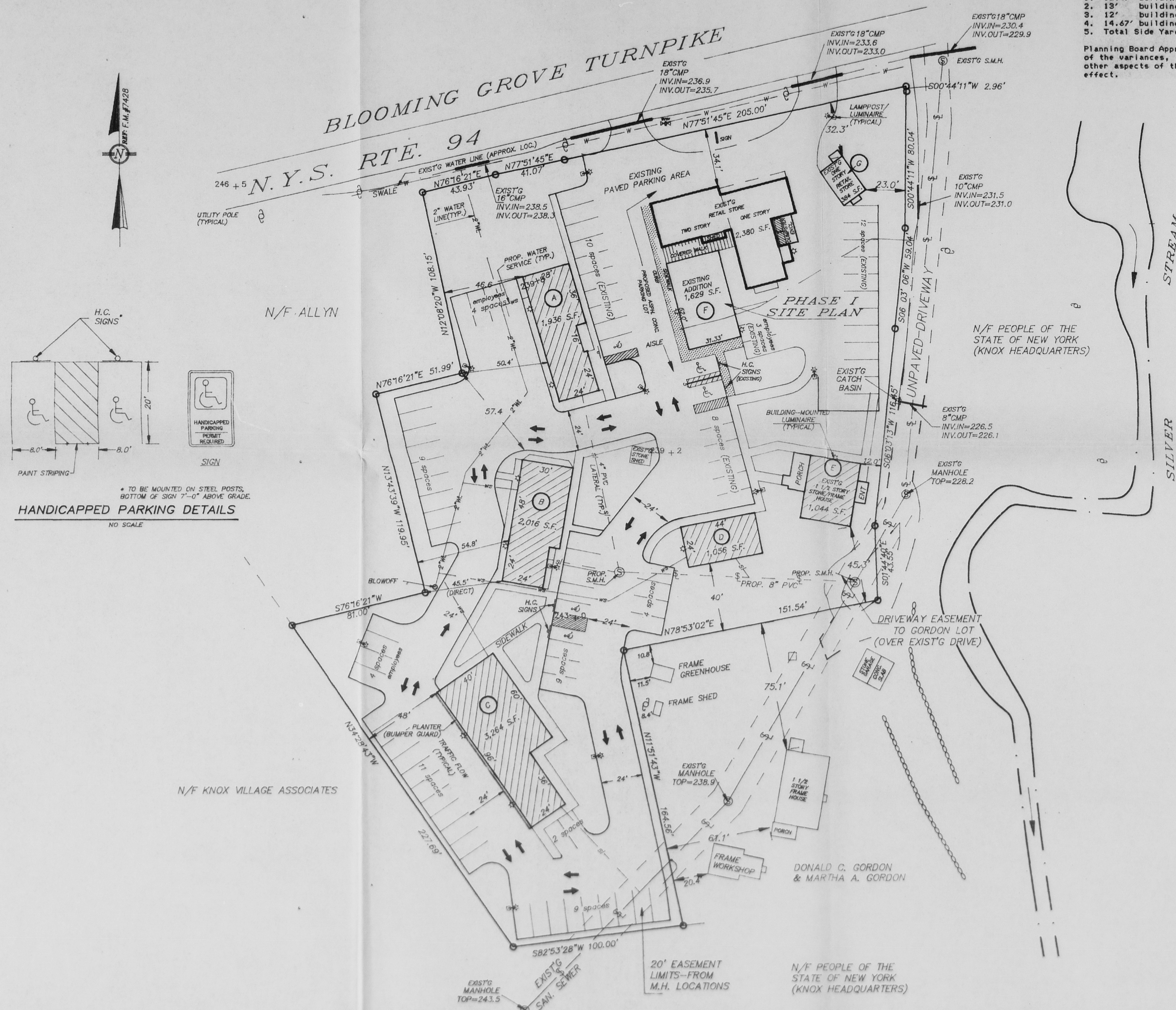
Building	Use	Square Footage	Parking Spaces Req'd.
A	Office	1,936	÷ 200 = 10
B	Retail	2,016	
C	Retail	3,264	
D	Retail	1,056	
E	Retail	380	
F	Retail	4,009	
G	Retail	384	
		11,029 X 75% = 8,272	÷ 150 = 56
E	Personal Service	744	÷ 150 = 5
F	Residential (Caretaker)		2
		TOTAL REQUIRED:	73
		TOTAL PROVIDED:	80

## PLANNING BOARD APPROVAL

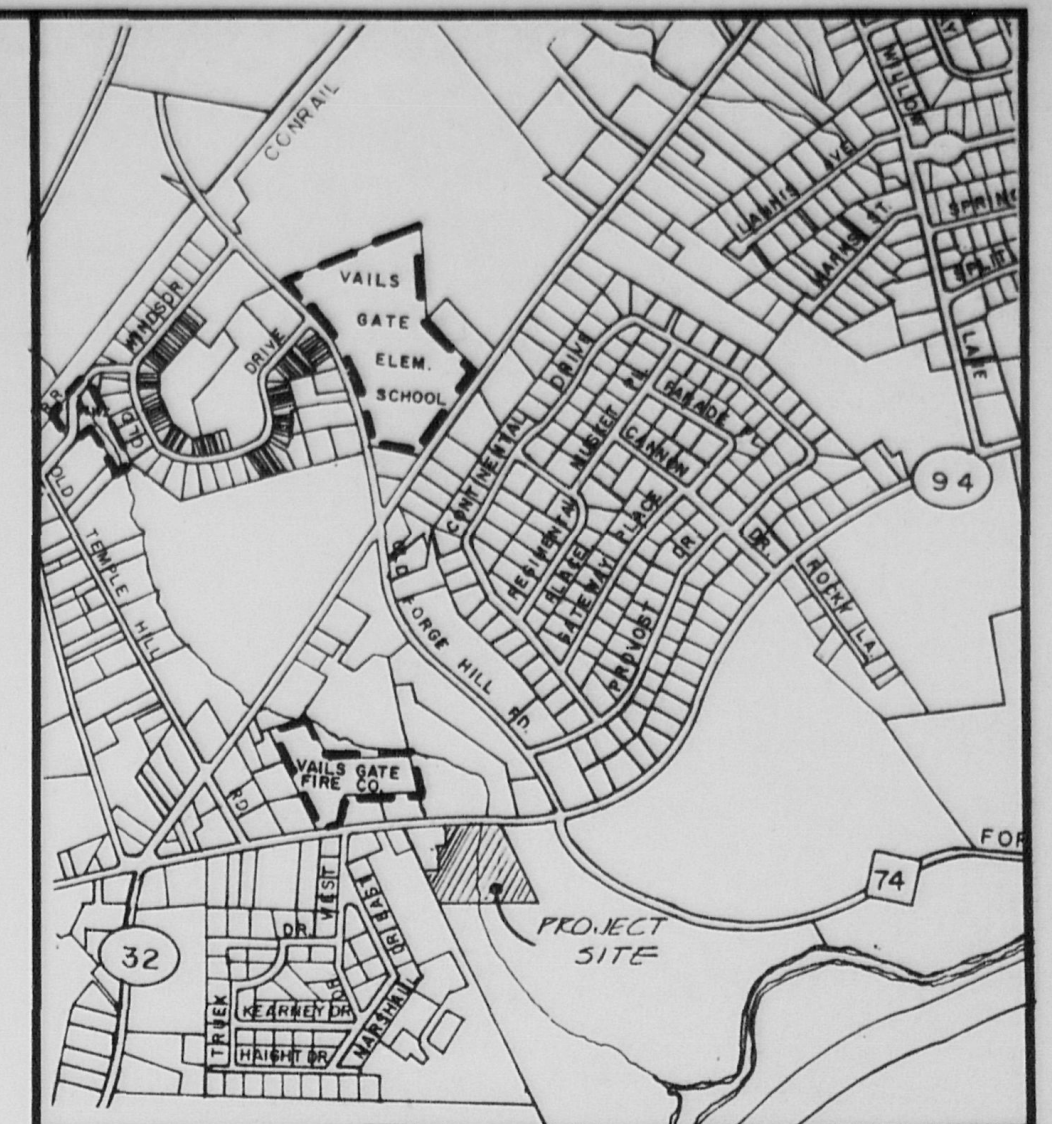
SITE PLAN APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON JUN 23 1993  
BY CARMEN R. DUBALDI, JR.  
SECRETARY  
NEW P.B. NO. 93-15  
ORIGINAL P.B. NO. 90-7



<p><b>Grevas &amp; Hildreth</b> LAND SURVEYORS P.C. 33 QUAINANCE AVENUE, NEW WINDSOR, NEW YORK 12553 TEL: (514) 253-9987</p> <p>REVISIONS:</p> <table> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>6/7/93</td> <td>REVISED PER PLANNING BOARD APPROVAL OF 4/28/93</td> </tr> </table>	DATE	DESCRIPTION	6/7/93	REVISED PER PLANNING BOARD APPROVAL OF 4/28/93	<p>PLAN FOR:</p> <p>JANE A. TANNER <b>FORGE HILL VILLAGE</b></p> <p>TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK</p> <p>Drawn: SRG Checked: Scale: 1"=30' Date: 9 Apr 1993 Job No: 87-098</p> <p><b>AMENDED PHASE II SITE PLAN</b></p>
DATE	DESCRIPTION				
6/7/93	REVISED PER PLANNING BOARD APPROVAL OF 4/28/93				







LOCATION PLAN 1"=1,000'

NOTES:

1. Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 65, Block 2, Lot 43.
2. TOTAL PARCEL AREA: 3.02 +/- ACRES
3. PROPERTY ZONE: "C" (Design Shopping)
4. OWNER/APPLICANT: Jane A. Tanner  
c/o Forge Hill Country Furniture  
815 Blooming Grove Tpke.  
New Windsor, NY 12553
5. PROPERTY DEVELOPMENT: Retail Space and other uses permitted in the Zone
6. WATER SUPPLY & SANITARY DISPOSAL: Town of New Windsor
7. Boundaries, location of physical features and topographic information shown hereon is from a field survey performed by the undersigned on 16 October 1989.
8. Lampposts and Luminaires shown are laminated timber posts, with crossarms (as manufactured by Ryter-Purdy Lumber Company, Inc. or an acceptable equal), mounted with hanging lanterns fitted with 250 watt Sodium Vapor lamps. Mounting height shall be 18 feet.
9. Building-mounted fixtures shall be of the "lantern" type, fitted with Sodium Vapor Lamps.
10. All lighting fixtures shall contain shielding devices to prevent "spillage" of light on adjoining properties and the "halo" effect of upward light.
11. All water and sewer connection shall be made in accordance with Town of New Windsor requirements.
12. Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the N.Y.S. Education Law.
13. Prepared pursuant to Section 7208 (n) of the N.Y.S. Education Law.

PARKING CALCULATIONS

REQUIRED: 1 Space/150 SF. in Retail Use  
13,245 S.F. Gross; 9,934 S.F. net (75%) = 66 Spaces  
Additional for Residential Use (Phase I) = 2 Spaces  
TOTAL REQUIRED: = 68 SPACES

PROVIDED: 72 Spaces

ZONE BULK REQUIREMENTS: "C" Zone (Retail Uses)

Lot Area	Lot Width	Front Yard	Side Yard(s)	Rear Yd.
Required: 40,000 S.F.	200'	40'	30'/70'	30'
Provided: 131,685 S.F.	282' +/-	*32.3'	*12.0'/58.6'	40'

Bldg. Height	Floor/Area Ratio
Required: (4"/Ft.-lot line)	0.5
Provided: (see below)	0.10

Building Heights shall be in accordance with Zoning requirements in effect at the time of issuance of a Building Permit.

\* Existing Condition



HANDICAPPED PARKING SIGN DETAIL

NOT TO SCALE

N/F KNOX VILLAGE ASSOCIATES

BLOOMING GROVE TURNPIKE  
N.Y.S. RTE. 94

N/F ALLYN

N/F PEOPLE OF THE  
STATE OF NEW YORK  
(KNOX HEADQUARTERS)

SILVER  
STREAM

N/F PEOPLE OF THE  
STATE OF NEW YORK  
(KNOX HEADQUARTERS)

PLANNING BOARD APPROVAL



P.B. # 90-7



Grevas & Hildreth, P.C.  
33 QUADRANT AVENUE, NEW WINDSOR, NEW YORK 12553  
TEL: (914) 582-1887

PLAN FOR: JANE A. TANNER  
FORGE HILL VILLAGE  
TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK

REVISIONS:  
DATE DESCRIPTION  
2/16/90 GEN. REVISIONS  
5/11/90 GEN. REVISIONS  
5/24/90 GEN. REVISIONS  
7/16/90 GEN. REVISIONS  
8/31/90 BLD'G LTR. ENTRY NOTE

TOWN OF NEW WINDSOR  
Drawn:  
Checked:  
Scale: 1"=30'  
Date: 2 Jan, 1990  
Job No: 87-098

9/13/90 REMOVED BUILDING HEIGHT  
REFERENCES

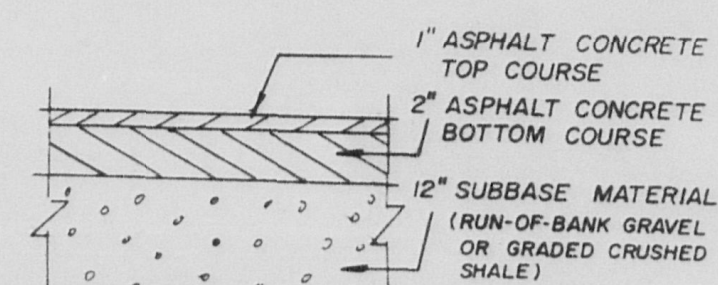
PHASE II  
SITE PLAN

SHEET 1 OF 3

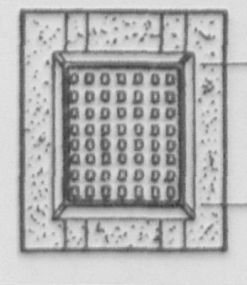
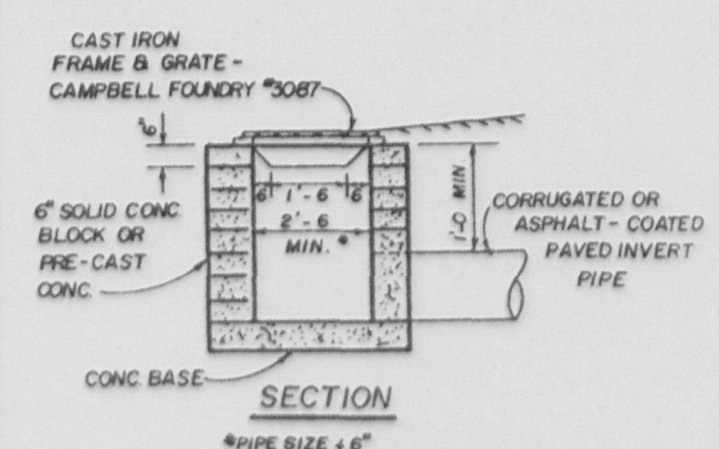




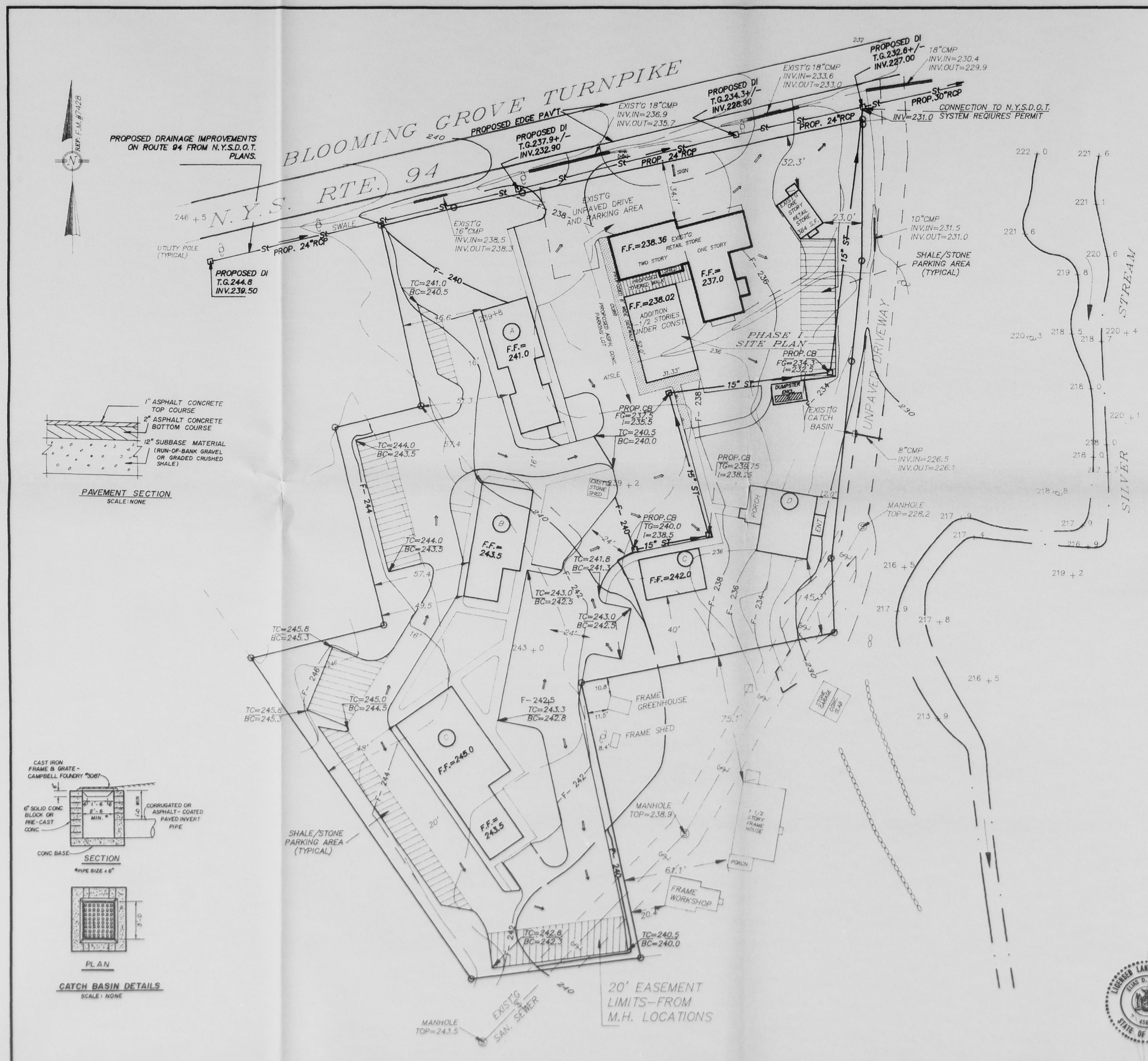
PROPOSED DRAINAGE IMPROVEMENTS  
ON ROUTE 94 FROM N.Y.S.D.O.T.  
PLANS.



PAVEMENT SECTION  
SCALE: NONE



CATCH BASIN DETAILS  
SCALE: NONE



### DRAWING LEGEND

242	EXISTING CONTOUR (2')
240	EXISTING CONTOUR (10')
F- 240	PROPOSED CONTOUR (10')
F- 242	PROPOSED CONTOUR (2')
TC=240.0 BC=239.5	TOP & BOTTOM OF CURBS, ELEV.
TG=240.0 I=238.5	TOP GRATE, INVERT, ELEV.
F- 242.5	FINISHED GRADE ELEVATION
CB	CATCH BASIN
DI	DROP INLET
15" ST	STORM DRAIN, DIR. OF FLOW
F.F.=240.0	FINISHED FLOOR ELEVATION
→	SURFACE DRAINAGE FLOW
220 + 4	EXISTING, SPOT ELEVATION

### NOTES

- Entrances to this site are to be reconstructed under contract by the N.Y.S.D.O.T. for work proposed on the Newburgh-Woodbury Highway, S.H. 42.
- Drainage improvements along Route 94 are also to be undertaken at the time of reconstruction.
- During on-site construction, erosion control measures, such as staked hay bales and construction filter fabric shall be used to prevent downstream siltation of existing water courses.
- Areas to be landscaped shall receive topsoil and be seeded and mulched immediately upon completion of the grading operations.
- Elevations shown are in accordance with a topographic survey performed by the undersigned, completed 16 October 1989, and are also in accordance with N.Y.S.D.O.T. elevation datum along Route 94.
- No Certificate of Occupancy shall be requested or issued until sufficient paved or shall-stone parking areas are provided for the building for which the certificate is requested.
- Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the N.Y.S. Education Law.
- Prepared pursuant to Section 7298 (n) of the N.Y.S. Education Law.



Grevas & Hildreth, P.C. 33 GLASSBORO AVENUE, NEW BRIDGE, NEW YORK 12553 TEL. (518) 862-8847		PLAN FOR: JANE A. TANNER <b>FORGE HILL VILLAGE</b>	
REVISIONS:	ACAD: TANS: GGP	TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK	
DATE	DESCRIPTION	Drawn:	<b>SITE GRADING &amp; DRAINAGE PLAN</b> SHEET: 2 OF: 3
		Checked:	
		Scale: 1"=30'	
		Date: 16 Jul '90 Job No: 87-098	



